

UTILITY PATENT APPLICATION TRANSMITTAL

(For new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P50959RC2

First Named Inventor

Peter C. Appelbaum

"EXPRESS MAIL CERTIFICATE"

"EXPRESS MAIL" MAILING LABEL NUMBER **EL964437990US**

DATE OF DEPOSIT: 10/15/03

I hereby certify that this paper or fee and the papers indicated as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date and with the Mailing Label Number indicated above and addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450 Alexandria VA 22313-1450

NAME OF PERSON MAILING PAPER OR FEE

(TYPE OR PRINT)

STEVEN OLSZEWSKI

SIGNATURE

Steven Olszewski

031088 U.S. PTO
10/685823

101503

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

7. ☒

The Title of the Invention:

Methods of Use of Fluoroquinolone Compounds
Against Ciprofloxacin-Resistant and Ciprofloxacin-
Sensitive Pathogenic Bacteria

1. ☒

The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to Deposit Account No. 19-2570
☒ General Authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extensions of time, relating to this application. (37 CFR 1.136(a)(3))
(Submit an original, and a duplicate for fee processing)

8. ☐

Nucleotide and/or Amino Acid Sequence Submission

- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies
- d. ☐ Use the identical computer-readable form filed in Application No. _____, filed _____ as the computer-readable form for the instant application. (37 CFR 1.821(e))

2. ☒

The total fee is calculated as shown below:

Basic Filing fee \$770.00
Total Claims 32 - 20 = 12 x \$18 \$216.00
Independent Claims 4 - 3 = 1 x \$84 \$ 84.00
☐ Multiple Dependent Claim present. \$280
TOTAL FILING FEE \$1070.00

☒

Cancel in this application original claims 21 to 23 of the prior application and add new claims 24 - 35 before calculating the filing fee.

☒

Charge **\$1070.00** to the above indicated Deposit Account.

9. ☒

ACCOMPANYING APPLICATION PARTS

- a. ☒ Information Disclosure Statement (IDS)
- b. ☒ PTO-1449s & PTO-892 from parent
- c. ☒ Copies of all IDS Citations

10. ☐

Assignment Papers (cover sheet & document(s))

11. ☒

Prior Application is Assigned to:

SmithKline Beecham Corporation
(for continuation/divisional with Box 17a completed)

3a. ☒

Specification excluding Drawings [Total Pages] 16

3b. ☒

Abstract on a separate sheet [Total Pages] 1

12. ☒

Preliminary Amendment [Total Pages] 7

4. ☒

Drawing(s) (35 USC 113) [Total Sheets] 2

13. ☒

Return Receipt Postcard (MPEP 503)

(Should be specifically itemized)

5. ☒

Declaration and Power of Attorney [Total Pages] 2

- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17a completed)
- c. ☐ Unsigned Declaration

[Note Box 6 below]

i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

14. ☐

Certified Copy of Priority Document(s)

(if foreign priority is claimed)

15. ☒

Transfer all references cited by Applicants or by the Examiner from the parent Application Serial No. 10/208,082 filed July 29, 2002. PTO-1449s listing the references and a PTO-892 are enclosed.

16. ☐

Other: _____

6. ☒

Incorporation By Reference (useable if Box 5b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

17. ☒

Priority Information, check appropriate box and supply the requisite information

a. ☒

The accompanying application is a ☒ Continuation

☐ Divisional

☐ Continuation-in-part (CIP)

of prior application No: 10/208,082 filed July 29, 2002.

b. ☒

Benefit is claimed under Title 35, United States Code, Section 119(e) of the following Provisional Applications:

Application No. 60/142,724 filed July 8, 1999.

c. ☒

** Add claim to priority via Preliminary Amendment.

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Name

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Registration
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37,347

